

**AGENDA REQUEST**  
**BUSINESS OF THE PLANNING & ZONING COMMISSION**  
**CITY OF SUGAR LAND, TEXAS**

**AGENDA OF: 10/28/04 DEPT. OF ORIGIN: DEVELOPMENT SVCS. REQ. NO. IV B**  
**DATE SUBMITTED: 10/21/04**

**ORIGINATOR: DOUGLAS P. SCHOMBURG, AICP, ASST. CITY PLANNER *D.P.S.***

**SUBJECT: REQUEST FOR AN AMENDMENT TO THE SUGAR LAND TOWN  
SQUARE PLANNED DEVELOPMENT (PD) DISTRICT REQUIREMENTS  
FOR RESERVES A-1 & A-2**

**PROCEEDING: CONSIDERATION AND ACTION**

**EXHIBITS: VICINITY MAP; DRAFT ORDINANCE; CORRESPONDENCE;  
EXHIBIT A FOR APPROVED PD ORDINANCE NO. 1359**

**APPROVED FOR SUBMITTAL:**

**SABINE A. SOMERS-KUENZEL, AICP, CITY PLANNER** *S.A.K.*

**EXECUTIVE SUMMARY**

Planned Community Developers (PCD), represented by Mr. Les Newton, are seeking to amend the Sugar Land Town Square Planned Development (PD) District with regard to regulations applying to uses, square footage, and number of building stories for properties A-1 and A-2 on the Final Development Plan. The request consists of property described in the Sugar Land Town Square plat as Reserves "A1" and "A2", and the amendment proposals are as follows:

- A1 - Allow either office or residential condominiums. The office may be up to 12 levels or 300,000 square feet. The residential condominiums may be up to 15 stories with a maximum 60 units.
- A2 - Increase A2 retail or restaurant use by 20,000 square feet to a new maximum of 35,000 square feet.

The Sugar Land Town Square Planned Development District, originally approved by the City Council on May 5, 1998 by Ordinance No. 1116, and amended by Ordinances 1124, 1292, and 1359, established a basis for land use, layout, landscaping, and bulk regulations within the 31.8 acre project. The last amendment to the PD occurred on August 6, 2002, which resulted in changes to Exhibit A (Development Criteria). The proposed amendments are also to Exhibit A, and only apply to platted Reserves "A1" and "A2". A detailed description of the background and history of the PD is contained within this report.

**PUBLIC HEARING:**

A Public Hearing was held on October 12, 2004 at the Planning and Zoning Commission Meeting for the proposed Planned Development (PD) Ordinance amendments. where the applicant gave a brief presentation. There were no other members of the public who spoke with regard to the issue.

**GENERAL SITE INFORMATION:**

<b>Subject Property</b>	<b>Planned Development (PD) District</b> <b>A-1 and A-2 Reserves are currently undeveloped.</b>
<b>Adjacent Zoning</b> <b>North:</b> <b>South:</b> <b>East:</b> <b>West:</b>	<b>Planned Development (PD) District</b> <b>General Business (B-2) District</b> <b>General Business (B-2) District</b> <b>Planned Development (PD) District</b>
<b>Adjacent Land Use</b> <b>North:</b>  <b>South:</b>  <b>East:</b>  <b>West:</b>	<ul style="list-style-type: none"><li>• <b>Across City Walk [Town Square Building J] (retail / offices / restaurants)</b></li><li>• <b>Across T. Center Blvd. [Market at Town Square Shopping Center] (retail / restaurants)</b></li><li>• <b>Across SH6 [Creeside at Town Center] (restaurants / banking)</b></li><li>• <b>Across Texas Drive [vacant] (Future site of Texas Parking Garage on Reserve F)</b></li></ul>
<b>Ordinances Currently Applying:</b>  <b>Sugar Land Town Square Planned Development</b>	<b><u>Ordinance No. 1359</u> providing a new Exhibit A (Planned Development Criteria w/ uses by platted reserve, square footage, max. number of units, and number of stories)</b> <b><u>Ordinance No. 1292</u> with Exhibits B (SIC Codes for Allowed Uses), C (Land Use Plan), D (Pedestrian / Open Space), E (Landscape Plan), F (Parking and Building Setbacks), G-1and G-2 (Typical Street Sections)</b>

## **STAFF ANALYSIS:**

### **Sugar Land Town Square Planned Development History-**

On May 5, 1998, the City Council adopted Ordinance No. 1116 approving a change in zoning for approximately 32.8 acres from General Business (B-2) to create a Planned Development (PD) District and approving a General Development Plan for the PD District. The subject PD District is generally referred to as Sugar Land Town Square.

On July 13, 1998, the City Council adopted Ordinance No. 1124 approving a Final Development Plan for the Planned Development District approved by Ordinance No. 1116. The Final Development Plan consisted of the following exhibits that were attached to and incorporated by reference into Ordinance No.1124.

1. Exhibit A: Planned Development Criteria
2. Exhibit B: Allowable Land Uses Classified by SIC
3. Exhibit C: Land Use Intensity Plan
4. Exhibit D: Land Use Plan
5. Exhibit E: Pedestrian Open Space Plan
6. Exhibit F: General Landscape Plan
7. Exhibit G: Parking Setbacks and Building Setbacks
8. Exhibit H: Typical Street Section

The following amendments were made to Ordinance No. 1124 with the adoption of Ordinance No. 1269 by City Council on November 21, 2000.

1. Decrease in the maximum number of square footage for Building “A-1” from 355,000 square feet to 300,000 square feet and reduce the maximum number of floors from 14 to 12.
2. Changes in Office Building “B” from a maximum of a four level building to a six level building, thereby increasing the maximum square footage from 85,000 square feet to 150,000 square feet.
3. Replacement of Building “J” professional offices of 60,000 square feet with 36 units of additional multi-family residential.
4. Adjustment of the right-of-way widths for the street from 70 feet to 76 feet for Imperial and Town Square Place and 80 feet for City Walk.

The amendments in Ordinance No. 1269 increased the maximum number of allowable multi-family residential units from 236 to 272. The changes also included an increase of 10,000 square feet in the maximum allowable square footage of office space and thereby increased the total allowable building area by 10,000 square feet. The amendments resulted in the adoption of revised exhibits A, C, D, and newly created H-1 and H-2.

**The following changes were made to the Sugar Land Town Square Planned Development District with Ordinance No. 1292, adopted April 17, 2001:**

- 1. Swapping the location of the Hotel (Building L) and Conference Center (Building M) with the location of Office Building H.**
- 2. Replacement of Office Building G with one-story retail Building G, and the addition of a four-story office over retail Building N3.**
- 3. Increase in the maximum allowable Conference Center square footage from 40,000 to 60,000.**
- 4. Combining the "Retail or Restaurant" maximum square footage of 231,000 with the "Restaurant/Entertainment" maximum square footage of 45,000 into a single "Retail or Restaurant", and combined with other minor changes resulting in a reduced maximum square footage of 272,000.**
- 5. Expansion of Building J, three-story residential over one-story retail, to wrap around the corner of parking garage "O" increasing retail square footage from 30,000 to 40,000 and increasing the maximum allowable potential multi-family residential units in Building J from 36 to 52.**
- 6. Elimination of Exhibit D (Land Use Intensity Plan) because of redundancy with Exhibit C (Land Use Plan).**
- 7. Decrease in building setback on the east side of Lone Star Drive from 10 feet to 0 feet.**
- 8. Elimination of Buildings "D", "I", "S", and "U".**
- 9. Increase in the height of garage "F" from eight to nine stories.**

**Ordinance 1292 Resulted in the following.**

- 1. Office: from 908,000 to 750,000**
- 2. Professional Office: from 96,000 to 57,000**
- 3. Retail or Restaurant: from 231,000 to 272,000**
- 4. Restaurant/Entertainment: from 45, 000 to zero**
- 5. Multi-family Residential Units: from 272 to 288**
- 6. Conference Center: from 40,000 to 60,000**
- 7. Total allowable building area: from 1,438,000 to 1,257,000**

**The following changes were made to the Sugar Land Town Square Planned Development District with Ordinance No. 1359, adopted August 8, 2002:**

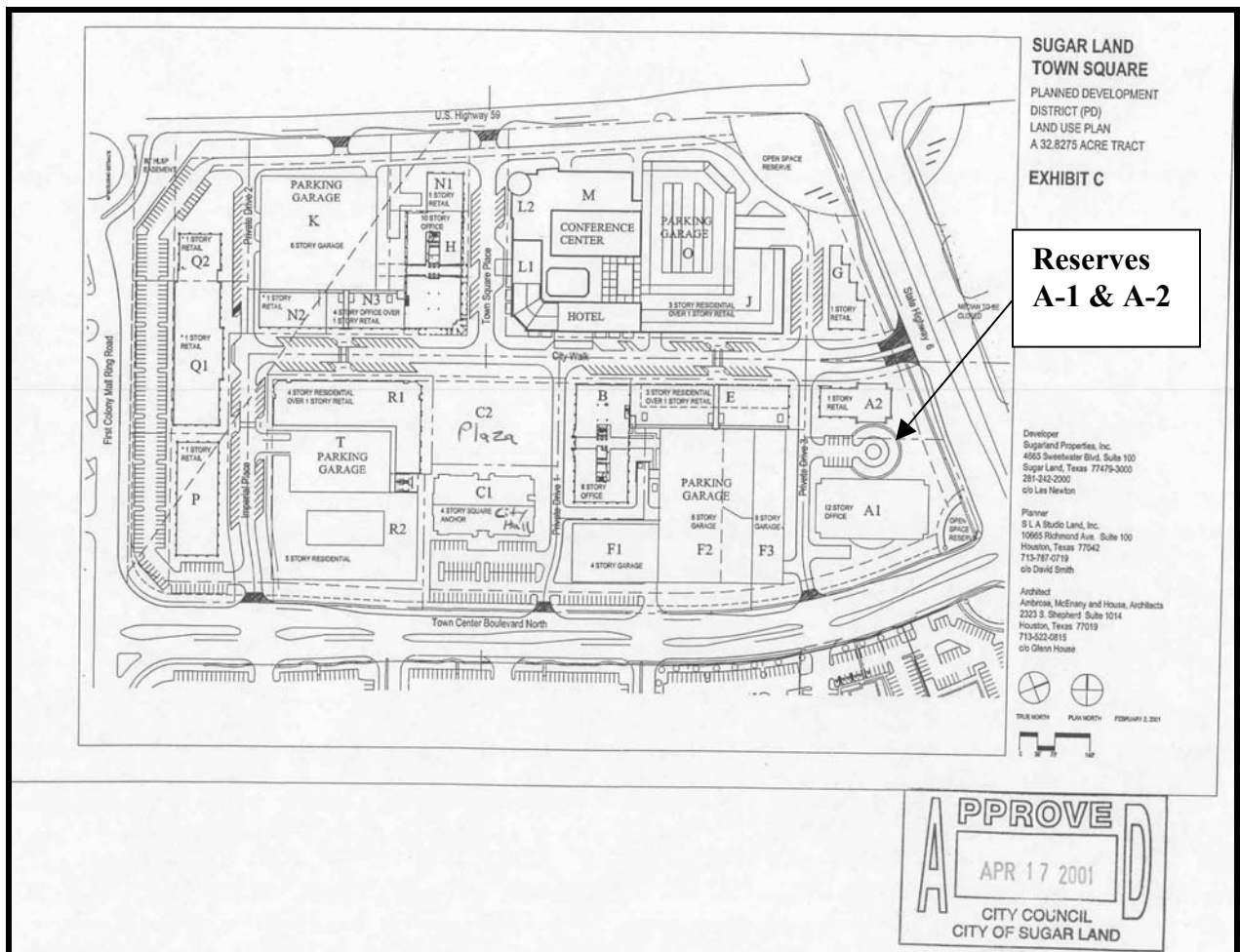
- 1. Building E- Allow Floors 2-4 to be either 36 units of multi-family residential (as allowed by the Ordinance) or up to 75,000 square feet of professional office.**
- 2. Building J- Substitute up to 30,000 square feet of professional office for the 36-52 multi-family residential units allowed in the existing Ordinance.**
- 3. Building N-2, N-3- Allow up to 52 units of multi-family residential (as allowed by the existing Ordinance) or up to 60,000 square feet of professional office.**

4. **Building F3-** Allow a single-level of retail up to 20,000 square feet to be located on the ground floor beneath garage F3, and allow F3 to be a total of 9 levels, including retail.

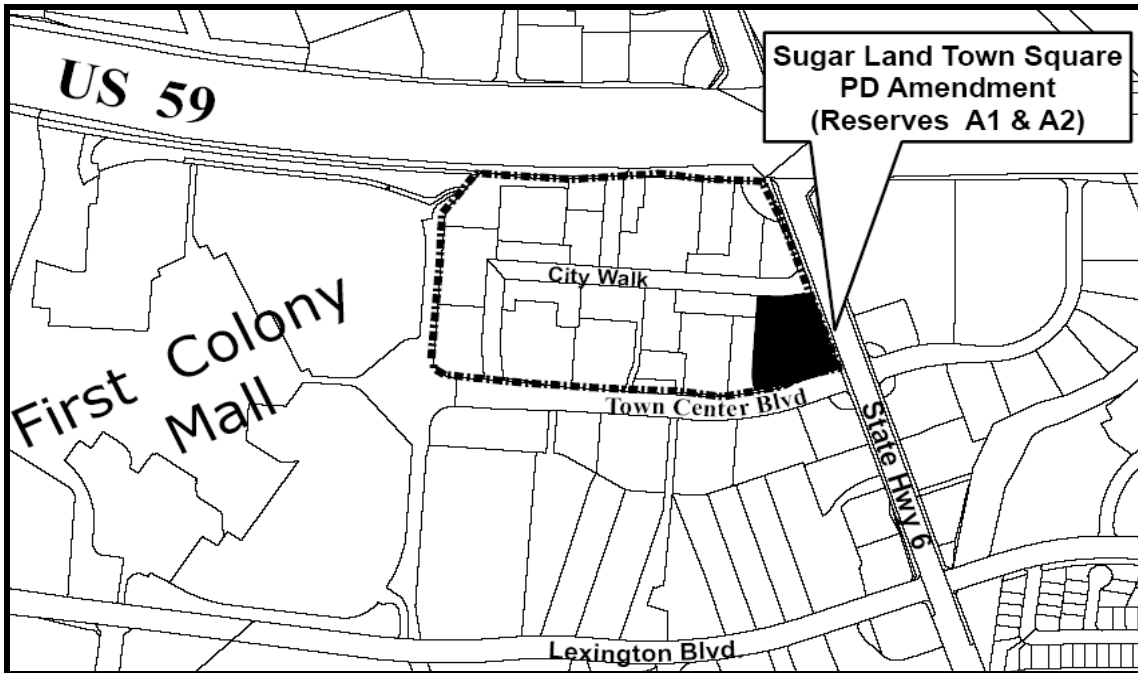
**Ordinance No. 1359 Resulted in the following:**

1. **Office:** from 750,000 to 700,000
2. **Professional Office:** from 57,000 to 222,000
3. **Retail or Restaurant:** Same (272,000)
4. **Multi-family Residential Units:** Same (288)
5. **Total allowable building area:** from 1,257,000 to 1,372,000

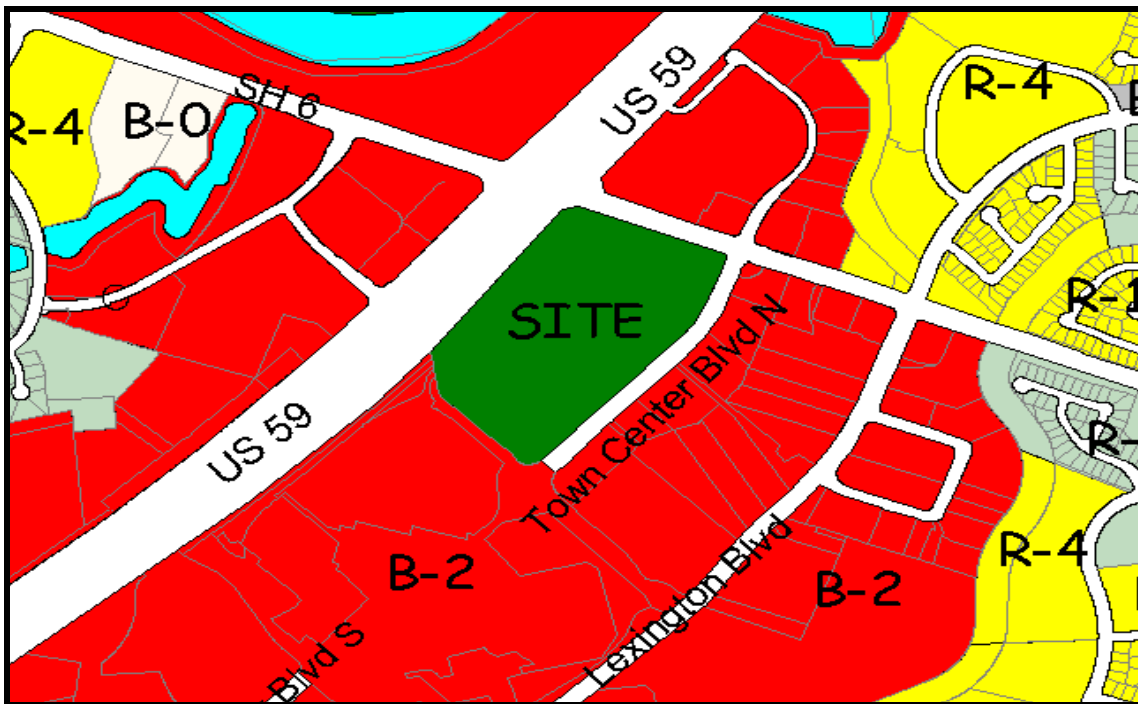
**Sugar Land Town Square PD Exhibit B: Land Use Plan (Ordinance 1292)**  
**(Location of Reserves A-1 and A-2)**



Vicinity Map:



Zoning Map:



### **Land Use Compatibility:**

Sugar Land Town Square Planned Development District was created in 1998 in order to combine a number of mixed uses of commercial services / retail, office, government, and residential into a 31.8 acre site to create a neo-traditional downtown-type theme in a largely suburban area. Currently, Town Square is the only PD in the City of Sugar Land that combines all of the uses listed above into one district. Although the proposed amendments would allow increased retail and residential components at Reserves A-1 and A-2, the general concept of compatibility within the PD has been established for those uses. The proposed amendment for A-1 to allow a residential condominium does not preclude using A-1 entirely for a 12 story office should market conditions change. In addition, the original 1998 PD Ordinance for Sugar Land Town Square allowed a building at Reserve A-1 to be up to 14 stories. This was modified to 12 stories by Ordinance 1269 in 2000 at the request of the developer. The current request is similar in nature to the original PD ordinance.

### **Parking:**

The Sugar Land Town Square Planned Development (PD) District has been designed to use a different approach to parking than typically found in the other commercial zones in the City due to the unique down-town style development plan and neo-traditional design located in a primarily suburban setting. The PD ordinance allows for phasing on-street parking and shared parking during individual site plans for parking needs. Planned Community Developers (PCD) has submitted traffic engineering studies as individual phases and sections of Sugar Land Town Square develop in order to fulfill the requirements of the PD Ordinance regarding provision of adequate parking. At the time of initial PD approval, the City of Sugar Land agreed to Urban Land Institute (ULI) shared parking methodology and ratios customized for the PD and these calculations have been applied for each project when individual site plan approval is given. Planned Community Developers have indicated that all of the parking for the 60 residential units would be provided in a garage that would be integrated into the 15 story building, should the residential condominium option be used for Reserve A-1. The current parking studies also support the need for an additional garage integrated into the residential condominium building on Reserve A-1. Office parking for Reserve A-1 would be provided in Parking Garage F (Texas Garage) should the tract be developed as a 12 story office structure. Parking will continue to be monitored during the site plan review and approval processes for each project.

### **Additional Height:**

This request was evaluated as to the airport zoning height hazard regulations in Chapter 9 (Sugar Land Municipal Airport Zoning Regulations) Article II of the Development Code. The maximum height for structures within the PD area based on the Airport Height Hazard regulations would be approximately 230'. The current number of stories allowed for a building at Reserve A-1 in the PD is 12 floors, and the proposed amendment would allow up to 15 floors. An example of building height at 12' per floor (as defined under "stories" in Dev. Code) would be approximately 180'. Using a more liberal number of 14' in height, building

height would be approximately 210'. No issues with regard to the maximum height are anticipated with the request.

**RECOMMENDED ACTION:**

The proposed ordinance amendment has been reviewed with regard to the current Planned Development (PD) District and Development Code, as well as the specific issues of:

- Compatibility with Sugar Land Town Square and immediate surroundings
- Relationship to Previous Ordinance Amendments and research for Sugar Land Town Square
- Parking and Traffic Impacts
- Height

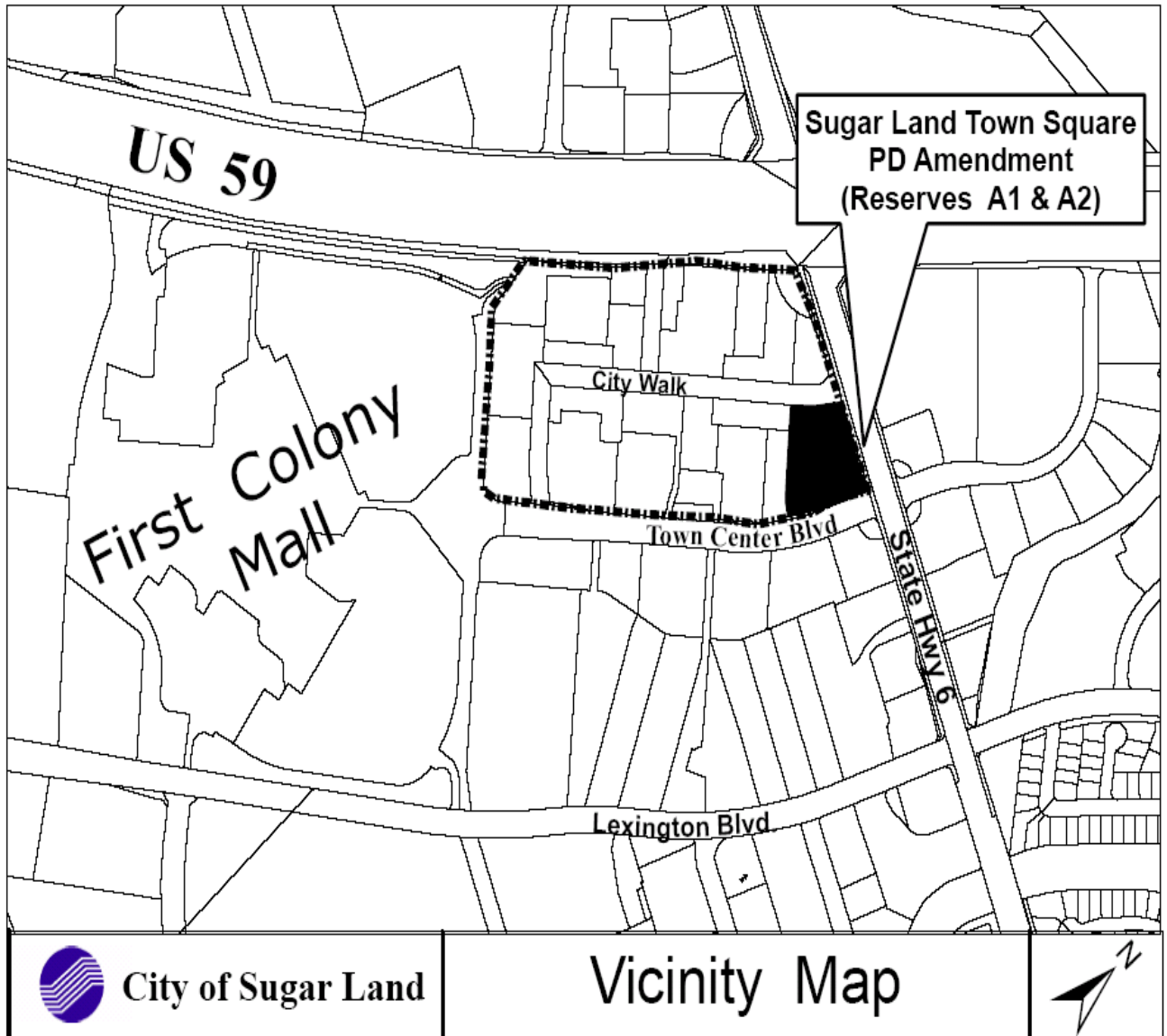
The proposed amendments were determined to be compatible with the intent, character, and overall uses within the Sugar Land Town Square PD District, and there are no major impacts anticipated to traffic or parking based on the proposed amendment. In addition, the original Sugar Land Town Square PD Ordinance allowed a 14 story building at the location Reserve A-1. Any construction within the PD will be required to comply with the Airport Height Hazard requirements within the Development Code.

The Planning Division recommends that the Commission recommend approval of the draft Planned Development (PD) District Ordinance Amendment to the Mayor and Council.

cc: Les Newton, Planned Community Developers  
File:P0002480

[lesn@pcdltd.com](mailto:lesn@pcdltd.com)





**DRAFT**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, AMENDING THE FINAL DEVELOPMENT PLAN FOR THE PLANNED DEVELOPMENT DISTRICT KNOWN AS SUGAR LAND TOWN SQUARE CREATED BY ORDINANCE NO. 1116.**

WHEREAS, by the adoption of Ordinance No. 1116 on May 5, 1998, the City Council approved a change of zoning to create a planned development district for 32 acres of land located at the intersection of Highway 59 and Highway 6 and approved a general development plan for the PD district (known as Sugar Land Town Square); and

WHEREAS, by adoption of Ordinance No. 1292 on April 17, 2001, the City approved a new final development plan for the PD district; and

WHEREAS, by adoption of Ordinance No. 1359 on August 6, 2002, Exhibit A of the final development plan for the PD district (Planned Development Criteria) was amended;

WHEREAS, Sugarland Properties, Inc. is requesting further amendments to Exhibit A (Planned Development Criteria); and

WHEREAS, the Planning and Zoning Commission recommends approval of the amendments to Exhibits A of the final development plan; NOW, THEREFORE:

**BE IT ORDAINED BY THE CITY COUNCIL  
OF THE CITY OF SUGAR LAND, TEXAS:**

**Section 1.** That the final development plan for the Planned Development District as adopted by Ordinance No. 1292 is amended by adopting a new Exhibit A, (Planned Development Criteria), attached to and incorporated by reference into this ordinance.

**Section 2.** That Ordinance No. 1359 is repealed.

APPROVED on first consideration on \_\_\_\_\_, 2004.

ADOPTED upon second consideration on \_\_\_\_\_, 2004.

\_\_\_\_\_  
David G. Wallace, Mayor

ATTEST:

---

Glenda Gundermann, City Secretary

Reviewed for Legal Compliance:

Attachment: Exhibit A - Planned Development Criteria

(Proposed Exhibit A for Town Square PD)

**Exhibit A**  
**Planned Development Criteria**  
**For Sugar Land Town Square**

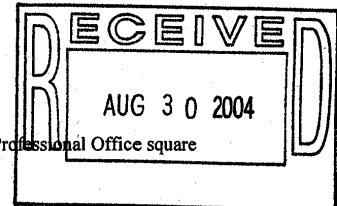
Bldg. ID	Allowable Land Use	Maximum Square Ft.	Maximum Res./Hotel Units	Maximum Floors/Levels
A-1	Office	300,000		12
	or Residential Condominium	N/A	60	15
A-2	Retail or Restaurant	35,000		1
B	Office	150,000		6
B*	Retail or Restaurant	20,000		1
C-1	City Hall or Office	88,000		4
E	Multifamily Residential or Professional Office	75,000	36	4
E**	Retail or Restaurant	25,000		1
F-1, F-2, F-3	Parking Garage	N/A		9
F-3**	Retail	20,000		1
R-1,	Multifamily Residential	N/A	200	5
R-2				
R-1**	Retail or Restaurant	25,000		1
T	Parking Garage	N/A		6
G	Retail or Restaurant	15,000		1
H	Office	250,000		10
H*	Retail or Restaurant	20,000		1
J	Professional Office	30,000		2
J*	Retail or Restaurant	40,000		1
K	Parking Garage	N/A		8
L-1, L-2	Hotel	N/A	400	10
L-2**	Retail or Restaurant	10,000		1
L-1*	Hotel Support	30,000		1
M	Conference Center	60,000		2
N-1	Retail or Restaurant	10,000		1
N-2, N-3	Multifamily Residential or Professional Office	60,000	52	4
N-2, N-3**	Retail or Restaurant	25,000		1
O	Parking Garage	N/A		6
P	Professional Office or Retail or Restaurant	22,000		1
Q-1	Professional Office or Retail or Restaurant	35,000		1
Q-2	Retail or Restaurant	10,000		

\* Included in the maximum square footage and maximum building height in the line above.

\*\* Included in the maximum building height in the line above.

Summary of Maximum Nonresidential Square Feet	
Office	700,000
Professional Office	222,000
City Hall/Office	88,000
Hotel Support	30,000
Conference Center	60,000
Retail or Restaurant	292,000 <sup>(1)</sup>
	1,392,000

<sup>(1)</sup> 40,000 s.f. included in Office square footage and 57,000 s.f. is redundant with Professional Office square footage.



Correspondence from Applicant:

Received  
8/30/04



PLANNED COMMUNITY  
DEVELOPERS

LTD.

Planned Communities and Commercial Development

August 30, 2004

Mr. Jim Callaway  
Development Services Director  
City of Sugar Land  
10405 Corporate Drive  
Sugar Land, Texas 77478

Re: Request for Amendment to Ordinance No. 1359 - Sugar Land Town Square Planned  
Development District

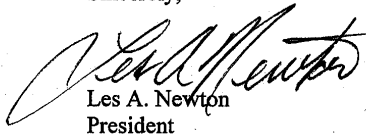
Dear Jim:

Planned Community Developers, Ltd. respectfully requests that the City consider the following  
amendments to the Sugar Land Town Square PD:

1. Building A-1 – Allow either office or residential condominiums. The office may be up to 12  
levels or 300,000 s.f. The residential condos may be up to 15 stories with a maximum 60  
units.
2. Increase A-2 Retail or Restaurant use by 20,000 s.f. to a new maximum of 35,000 s.f. While  
the resulting total maximum retail for the project increases to 292,000 s.f., currently we  
expect the actual total be to be less than 240,000 s.f.

A redlined Exhibit A to reflect these land use changes is included with the Rezoning Application.  
Since these changes do not change the site plan (Exhibit C), we are not submitting a site  
plan with this request.

Sincerely,



Les A. Newton  
President

LAN/lr

Enclosures: as stated

I:\SHR\_DATA\LAN\SLTS\City 2004PD ordinance change 8-30-04.doc

HTE# 04-21000003

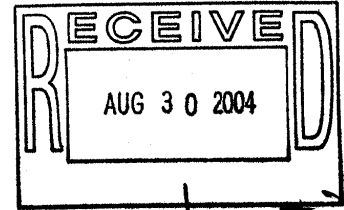
~~RECEIVED~~  
Town square

**City of Sugar Land**

CURRENT PLANNING DIVISION

CONDITIONAL USE PERMIT OR REZONING APPLICATION

Please type or print the following information



R204.002

PD Amendment  
Sugar Land Town Sq

Applicant SUGARLAND PROPERTIES INCORPORATED  
Contact LES A. NEWTON  
Address 15958 CITY WALK, SUITE 250, SUGAR LAND, TEXAS 77479  
Phone 281/242-2000 Fax 281/242-2718

Owner SUGARLAND PROPERTIES INCORPORATED  
Contact LES A. NEWTON  
Address 15958 CITY WALK, SUITE 250, SUGAR LAND, TEXAS 77479  
Phone 281/242-2000 Fax 281/242-2718

Property Legal Description SUGAR LAND TOWN SQUARE - A PLANNED DEVELOPMENT DISTRICT, SLIDE NUMBERS 2267A, 2267B AND 2268A OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS See Attached

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Current Zoning District PD Proposed Zoning District, if applicable PD

If this is a CUP application: ☐ new building ☐ existing building

Proposed Use (CUP only) \_\_\_\_\_

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the undersigned is authorized to make this application. This application expires six months from the date stamped as received by the Planning Department if no action has been taken by the Planning and Zoning Commission on this request.

x [Signature]  
Signature of Applicant

8/30/04  
Date

**Submittal Requirements:**

- ☒ Three (3) copies of the completed application
- ☒ Check for \$400 (non-refundable)
- ☒ Metes and bounds of the site and county slide number of plat, if recorded
- \* ☐ Two (2) 24" x 36" blue-line copies and two (2) 11" x 17" copies of the CUP layout plan or the property to be rezoned, including a vicinity map and north arrow on each copy
- ☒ Two (2) copies of a letter stating the applicant's request and addressing issues relating to a CUP including traffic circulation, parking, plan of operation, and other pertinent information
- ☒ Names and mailing addresses of all property owners and tenants within 200 feet of site, including owner and applicant
- \* - NO CHANGES ARE PROPOSED TO THE EXISTING SITE PLAN (EXHIBIT C) ATTACHED TO ORDINANCE 1359, SO NO NEW SITE PLAN IS BEING SUBMITTED.

Current Exhibit A for Town Square PD:

Exhibit A  
Planned Development Criteria  
For Sugar Land Town Square

Ordinance 1359  
Adopted on 8/6/02  
by City Council

Bldg. ID	Allowable Land Use	Maximum Square Ft.	Maximum Res./Hotel Units	Maximum Floors/Levels
A-1	Office	300,000		12
A-2	Retail or Restaurant	15,000		1
B	Office	150,000		6
B*	Retail or Restaurant	20,000		1
C-1	City Hall or Office	88,000		4
E	Multifamily Residential or Professional Office	75,000	36	4
E**	Retail or Restaurant	25,000		1
F-1, F-2, F-3	Parking Garage	N/A		9
F-3**	Retail	20,000		1
R-1,	Multifamily Residential	N/A	200	5
R-2				
R-1**	Retail or Restaurant	25,000		1
T	Parking Garage	N/A		6
G	Retail or Restaurant	15,000		1
H	Office	250,000		10
H*	Retail or Restaurant	20,000		1
J	Professional Office	30,000		2
J*	Retail or Restaurant	40,000		1
K	Parking Garage	N/A		8
L-1, L-2	Hotel	N/A	400	10
L-2**	Retail or Restaurant	10,000		1
L-1*	Hotel Support	30,000		1
M	Conference Center	60,000		2
N-1	Retail or Restaurant	10,000		1
N-2, N-3	Multifamily Residential or Professional Office	60,000	52	4
N-2, N-3**	Retail or Restaurant	25,000		1
O	Parking Garage	N/A		6
P	Professional Office or Retail or Restaurant	22,000		1
Q-1	Professional Office or Retail or Restaurant	35,000		1
Q-2	Retail or Restaurant	10,000		

\* Included in the maximum square footage and maximum building height in the line above.

\*\* Included in the maximum building height in the line above.

Summary of Maximum Nonresidential Square Feet	
Office	700,000
Professional Office	222,000
City Hall/Office	88,000
Hotel Support	30,000
Conference Center	60,000
Retail or Restaurant	272,000 <sup>(1)</sup>
	1,372,000

<sup>(1)</sup> 40,000 s.f. included in Office square footage and 57,000 s.f. is redundant with Professional Office square footage.

\\ASHR\_DATA\LANSPAS\SLTS\City 2002\Planned Development Criteria 5 Revision - Exhibit A Redline.doc